statute should be interpreted in the light of sound public policy and reasonableness, whenever the intention of the legislature is in doubt, because of ambiguity, or where a strict and literal construction would lead to an absurd result. *Mitchell* v. *Lowden,* 288 Ill. 327; *Bowman* v. *Industrial Commission,* (1919), 289 Ill. 126. The leading case is in harmony with these decisions and seems progressive, although it is inconsistent with some other cases.

UNFAIR COMPETITION—SCOPE OF POWERS OF FEDERAL TRADE COMMISSION —DECEPTION OF CONSUMERS NOT UNFAIR COMPETITION.—A manufacturer of underwear, shirts and hosiery labeled these articles as composed of "wool" and "merino," when they contained much cotton. While this deceived the public, it did not deceive competing manufacturers, among whom such labels were used universally. The Federal Trade Commission, after a hearing, ordered the company to desist and to label its goods as "wool and cotton" or "merino and cotton." Upon petition to revise the order, *held,* the commission acted without authority and order should be reversed. *Winsted Hosiery Co.* v. *Federal Trade Commission,* (C. C. A., 2nd Circ., 1921), 272 Fed. 957.

The common law has afforded no protection similar to that which the Federal Trade Commission attempted to provide by their order. A handbook prepared by the Federal Trade Commission for office use classifies the methods of competition which the courts have passed upon as to unfairness. They include the following: passing off of goods for those of competitor; inducing breach of competitor's contracts; intimidating a competitor's customers by threats to sue for infringements of patents; enticing employes from the service of competitor; defamation of competitor or disparagement of his goods; combinations to cut off competitor's supplies; betrayal of trade secrets; and contracts for exclusive dealing. UNFAIR COMPETITION AT THE COMMON LAW, FEDERAL TRADE COMMISSION REPORT, (1916). It is seen that none of these include deception of the consumer by false labeling, and the only remedy for such an injury has been the private action for fraud. The scope of the authority of the Federal Trade Commission, however, is determined by the statute, and is not limited by precedents in common law and equity. *Sears, Roebuck & Co.* v. *Federal Trade Commission,* 258 Fed. 307. Section V, Federal Trade Commission Act, reads as follows: "That unfair methods of competition in commerce are hereby declared unlawful. The commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks and common carriers, from using unfair methods of competition in commerce," and the commission is to hold a hearing and issue an order to desist whenever it "shall have reason to believe that any person, partnership, or corporation has been using any unfair method of competition in commerce, and if it shall appear to the commission that a proceeding in respect thereof would be of interest to the public." 4 FED. STAT. ANN. 577. The decision confines the proceedings of the commission to those practices which are not employed generally by all competing traders and which injure other traders by depriving them of an equal opportunity of disposing of their goods. The court applies the traditional conception

of unfair competition, reasoning that the purpose of the act was to protect competing traders, and was not to constitute the Federal Trade Commission a censor of commercial morals. The Federal Trade Commission Act was made general, however, with the aim that it might be flexible and enable the commission to act to the best advantage. A broader construction of its purpose would seem reasonable. It would seem that unfair competition could reasonably be construed to include any methods by which competing traders seek to obtain business for themselves and which deceive the public to their injury. In the *Sears, Roebuck & Co.* case, cited above, the company was ordered to desist from advertising untruthfully that it was able to give lower prices on sugar than competitors because of its exclusive enjoyment of certain markets. This order, it is seen, prohibits as unfair competition a practice which was never held to be such before the Federal Trade Commission Act. In the leading case some reliance was placed upon a decision by the Supreme Court that it was not unfair competition to refuse to sell cotton ties, the company having control of the market for ties, unless the customer also purchased cotton bagging. *Federal Trade Commission* v. *Gratz,* (1920), 253 U. S. 421. The acts complained of were judged as to their unfairness from the standpoint of the crowding out of other companies. This case did not involve a direct deception of customers as to the quality of goods purchased, and the leading case is the first to decide whether the commission could prevent this practice. It is clear that such a general practice of deception as was involved in the leading case is of genuine interest to the public. It should be prevented. Certiorari for review of the case has been granted. 41 Sup. Ct. 625. If the decision is sustained upon review, further legislation appears desirable.

WATERS AND WATERCOURSES—RIPARIAN LAND—WATERSHED.—Of three adjoining tracts of land bordering on a stream, plaintiff, a municipality, owned tract B, with a prescriptive right to divert all of the waters of the stream. Defendant, owning tract C, abutting on the stream below and extending behind the plaintiff's land, acquired a small strip of tract A, the uppermost tract, which strip bordered on the stream and was contiguous to her other land, tract C. Water was diverted from the stream at tract A for the use of a dwelling house situated on tract C. In a suit to enjoin such diversion, *held,* that tract C was not riparian to that portion of the stream opposite tract A and that such diversion was wrongful. *Town of Gordonsville* v. *Zinn,* (Va., 1921), 106 S. E. 508.

The cases are in conflict with regard to the extent of riparian land away from the stream. According to one view represented by *Anaheim Union Water Co.* v. *Fuller,* 150 Cal. 327, land to be riparian to a stream must lie within the watershed thereof and extend in a continuous tract to the stream bank. 11 L. R. A. (N. S.) 1062, 9 Ann. Cas. 1236.

> "The principal reason for the rule confining riparian rights to that part of the lands bordering on a stream which are within the watershed is that where water is used on such land it will, after such use, return to the stream, so far as it is not consumed, and that as the rain-